



COMMITTEE of the WHOLE

CITY COUNCIL

MINUTES
August 27, 2007
5:00 P.M.
Council Office

COUNCIL MEMBERS PRESENT:

V. Spencer, S. Fuhs, S. Marmarou, M. Baez, J. Waltman, D. Sterner

OTHERS IN ATTENDANCE:

C. Kanezo, C. Younger, L. Kelleher, T. McMahon, D. Palm, C. Jones, F. Denbowski

I. Citizens Bank Lease Renewal

Mr. Younger explained the agreement currently in place with Citizens Banks will expire; the bank is looking to draft a new agreement of comparable term. According to Mr. Younger the new terms of the agreement sought by the bank would be four, five year terms, with the options to renew the agreement at the conclusion of each term. Mr. Younger indicated the terms of the proposed agreement are little changed from the terms of prior agreements. Mr. Fuhs expressed concern with sections of the proposed agreement that would require the City to provide new parking to the bank in the event of development.

Mr. Younger stated such provisions preserve development options, should the City ever desire to improve the property. Mr. Churchill stated the City does not have plans for the site in the near future; however, a certain degree of flexibility would be ideal.

Mr. Spencer opposed the general length of the agreement and questioned why the bank had opportunities to opt out while the City had none. Mr. Churchill and Mayor McMahon agreed that the City should be given the same rights not to renew as the bank. Ms. Goodman-Hinnershitz agreed with the need to deal with the bank on equal terms. Mr. Younger committed to renegotiating the terms with Citizens Bank.

II. Solid Waste Ordinance

Mr. Denbowski informed Council that suggestions, specifically a specific adjudication process, received at the recent public meeting were incorporated into the amended ordinance. Mr. Denbowski indicated the Solid Waste office was ready to actively enforce the stronger ordinance.

Mr. Spencer objected to what he saw as an unfair system that could target, as opposed to protect, the victims of illegal dumping. Mr. Spencer described the accumulation of trash in front of his and a neighbors home. The trash was deposited at the present location illegally, by unknown individuals. Mr. Spencer stated, under the amended ordinance, he and his neighbor would be cited and billed for the removal of trash that was clearly not their own. Mr. Denbowski acknowledged the concerns raised by Mr. Spencer; however, any aggrieved citizen would be able to access an appeals board to contest their citation and bill. Mr. Spencer responded that citizens could only access the board if a \$25.00 fee was paid in advance. Mr. Denbowski stated the \$25.00 was not a fee, but an appearance guarantee; the money would be refunded at the conclusion of a hearing.

Mayor McMahon recommended implementing the ordinance for a one year trial period. At the conclusion of the year, Council and the Administration could evaluate the results and make amendments if necessary. Ms. Goodman-Hinnershitz applauded a gradual approach, as it would create a situation where Council and the Administration would continually look at improving important pieces of legislation. Ms. Goodman-Hinnershitz also strongly urged her colleagues to adopt the proposed ordinance, as it would help address behavioral issues.

Mr. Churchill requested Council consider the original intent of the ordinance, which was to achieve rapid remediation of trash setout issues. Mr. Churchill stressed the proposed ordinance would remove trash in a timely fashion, punish violators in an equitable manner and encourage participation in the municipal program. Mr. Spencer objected to the likely cost of assuming remediation. Mr. Denbowski indicated costs, ideally, would be offset by the fines and penalties recouped. Mr. Marmarou questioned what would happen to an offender that failed to pay fines. Mr. Denbowski replied that the offending individual's property would be lienied.

Mr. Sterner inquired if the budget would be capable of bearing the additional burden placed upon it should the ordinance be adopted. Mr. Churchill replied that due to the absence of figures, the first year would be uncharted territory. Mr. Churchill frankly admitted the Administration was uncertain how much revenue would be generated and therefore would need to scale the program accordingly.

III. Charter Amendment

Ms. Kelleher reported the Charter Board issued an Advisory Opinion, which stated Council was free to place as many referendum questions on the ballot, provide those questions are directly related to amending the Charter. Ms. Kelleher reiterated the initiative and referendum limitations applied to citizens do not apply to Council.

Mr. Spencer and Mr. Marmarou cautioned Council against overloading the November ballot with numerous questions. Mr. Spencer supported the proposed Salary adjustment amendment; he did however, object to placing any additional questions. The remainder of Council agreed with Mr. Spencer.

IV. Award of Contract: GEODecisions Inc.

Mr. Churchill reported GEODecisions Inc., assuming the contract was approved by Council, would be responsible for conducting a sign and signal inventory. The inventory, once completed, would be presented as raw data that IT could upload into the GIS system. Mr. Kanezo asked if the raw data would be used as a GIS layer. Mr. Churchill stated that the data would indeed be used as a layer that when overlaid on City maps would show precisely where every street sign and traffic signal was located.

V. Purchasing Policies

Mr. Spencer stated the amendment to the City Purchasing Policies that he was proposing would be tabled and forwarded along to the Finance Committee for review. Mr. Spencer explained the ordinance was being proposed due to recent instances where the Administration determined it was necessary to hire personnel the majority of Council opposed. Mr. Spencer cited the contracting of Cindy Kauffman, as a Special Events Coordinator, and the refusal to reduce the salary of Neighborhood Coordinator Wayne Cockrell. Mr. Churchill maintained the Administration is free to determine salaries of management level staff, outside of directors, without receiving approval from City Council.

Mr. Spencer maintained the intent of the proposed ordinance was keeping Council involved in crucial policy decisions. Mr. Spencer remarked the legislative body wasn't much of a check if the Executive could get around legislative oversight by contracting services under a certain threshold.

Ms. Goodman-Hinnershitz thought it best to thoroughly review the ordinance at the September Finance Committee meeting. Ms. Goodman-Hinnershitz was confident in the Administration and Council's ability to reach a compromise.

VI. Review of Call Center Operations

Mr. Churchill reviewed the processes the Call Center follows when managing citizen complaints (see attached report). Mr. Churchill felt the center was managing complaints, from time of receipt to final disposition, in a competent and thorough fashion. Mr. Waltman asked if City departments can forward complaints directly to the center and, if so, how those complaints are processed. Ms. Palm stated every City department can forward received complaints directly to the center; such complaints are typically forwarded via email and processed in the same manner as any other complaints.

Mr. Waltman asked if the seventy-two hour response turnaround time promised when the center was created is being honored. Ms. Palm stated all complaints are forwarded immediately, and follow-ups occur within the allotted time. According to

Ms. Palm, most issues are satisfied within seventy-two hours. Mr. Waltman wanted to make sure that all complaints are being addressed with accuracy of information in mind. Mr. Churchill promised center staff is providing complete and accurate information to all callers.

Mr. Sterner discussed his preference for forwarding issues to the Call Center. Mr. Sterner was unable to recall any specific problems he has had in receiving adequate attention. Mr. Fuhs noted his preference for forwarding complaints directly to Council Staff, allowing them to raise the issue with specific departments. Mr. Sterner indicated he always copies staff on emails to the center; however, he feels it is important to let the center manage complaints.

Mr. Marmarou asked Ms. Kelleher describe the role Council staff plays in addressing complaints. Ms. Kelleher stated staff had directed complaints directly to the appropriate department; however, requests had been made by the Administration to forward complaints to the call center. In doing so the level of resolution previously achieved by the office – approximately 75% – has dropped to the mid 40's. Ms. Kelleher also asked Ms. Palm to quantify how many calls a center employee manages on a daily basis. While Ms. Palm was unable to provide a direct answer – as the numbers vary – the statistics contained in her report indicated a center employee deals with an average daily volume of 25 calls. Ms Kelleher inquired if center employees are being used to ease burdens in other departments. Mayor McMahon stated center employees are reassigned as needed and based on their availability.

Respectfully Submitted

By: _____
Linda A. Kelleher, City Clerk